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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/410,825	10/01/1999	ARTHUR WILLARD CHAFFEE	027756-0101	7525

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EXAMINER

SUBRAMANIAN, NARAYANSWAMY

ART UNIT PAPER NUMBER

3624

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/410,825

Applicant(s)

CHAFFEE, ARTHUR WILLARD

Examiner

Narayanswamy Subramanian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 49-70 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 49-70 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3, 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Original claims 49-70 have been examined. The rejections are stated below.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 49 - 70 are rejected under 35 U.S.C. 102(e) as being anticipated by Charles Lewis (US Patent 2002/0065752).

With reference to Claim 49, Lewis discloses a method of generating performance data including a net worth calculation on investments held in at least one account, said method comprising the steps of: receiving a request for the performance data including the net worth calculation from a user over the Internet (See Lewis Page 3 Paragraph 29); accessing a first database that is remotely located with respect to the requesting user, in which transaction records of said at least one account are maintained; retrieving transaction records that are necessary to generate said performance data from said first database, the transaction records including data on

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cash invested and purchases and sales; accessing a second database in which price data are maintained; retrieving price data that are necessary to generate said performance data from said second database (See Lewis Page 3 Paragraph 23); performing calculations on retrieved records and data (See Lewis Page 3 Paragraph 26 and Page 4 Paragraph 36) and transmitting report to the requesting user over the Internet (See Lewis Page 4 Paragraphs 35 and 36). Web based queries from user are interpreted to include request for the performance data including the net worth calculation from a user over the Internet, data records from plural systems and data sources relating to financial transactions, financial instruments, customers, counter parties, organizational units and financial institutions are interpreted to include transaction records and price data, calculations are interpreted to include net worth and performance calculations including: (1) tax liability data (2) balance sheet data, (3) profit/loss data and (4) net worth said generating step including: (1) generating said tax liability data, (2) generating said balance sheet data by automatically calculating entries on assets and liabilities including said tax liability data, (3) generating said profit/loss data, and (4) performing a net worth calculation which takes into consideration said tax liability data, and reports are interpreted to include performance data.

With reference to Claim 50, Lewis discloses a method according to claim 49, wherein the investments comprise investments held in multiple accounts and the step of retrieving includes the step of accessing databases that are maintaining the transaction records of the investments over the Internet and within said multiple accounts, said performance data being composite performance data based on said investments held in said multiple accounts (See Lewis Page 3 Paragraphs 23 and 24). Data records from plural systems and data sources relating to financial

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transactions are interpreted to include multiple accounts and the process of consolidation is interpreted to include the generation of composite performance data.

With reference to Claim 51, Lewis discloses a method according to claim 50, wherein said retrieving of price data is performed in real-time (See Lewis Page 3 Paragraph 24).

With reference to Claim 52, Lewis discloses a method according to claim 50, wherein the investments include securities and the user request includes a request to generate a report for said securities (See Lewis Page 3 Paragraph 29), and the method further comprises the steps of (a) generating said report based on the transaction records; and (b) transmitting the report to the user over the internet (See Lewis Page 4 Paragraph 36). Web based queries from user are interpreted to include request to generate a report for said securities and reports are interpreted to include a tax report also.

With reference to Claim 53, Lewis discloses a method according to claim 52, wherein the user can tailor the information created and stored as desired by the user (See Lewis Page 3 Paragraph 33). The information created is interpreted to include reports including tax report comprising an IRS schedule D report.

With reference to Claim 54, Lewis discloses a method according to claim 50, wherein the investments include securities and the step of generating the net worth calculating takes into consideration fees paid on purchase/sale of said securities (See Lewis Page 4 Paragraph 36 and Page 5 Paragraph 70). Market data information server processes data about securities, calculations are interpreted to include net worth calculations and fees are interpreted to include commissions also.

With reference to Claim 55, Lewis discloses a method according to claim 54, wherein net worth takes into consideration margin interest cost associated with said securities (See Lewis Page 3 Paragraph 26, Page 4 Paragraph 36 and Page 5 Paragraph 70). Margin maintenance amounts and interests are interpreted to include margin interest cost.

With reference to Claim 56, Lewis discloses a method according to claim 50, wherein the user request includes a sale of at least one investment, and wherein the performance data is generated based on the retrieved transaction records and the sale (See Lewis Page 3 Paragraphs 23 and 33). The tailoring of the process by the user is interpreted to include the step of specifying a hypothetical sale price for the security.

With reference to Claim 57, Lewis discloses a method according to claim 50, wherein the investment comprises investments held in multiple accounts and the step of retrieving includes the step of accessing databases that are maintaining the transaction records of the investment over the Internet (See Lewis Page 3 Paragraph 23), and wherein the user request (See Lewis Page 3 Paragraph 29) includes a request to generate a sale of at least one investment, and further comprising the steps of: wherein the performance data is generated based on the retrieved transaction records and the sale, said performance data including calculations based on said sale and said balance sheet data and net worth including said sale and taking into consideration the calculations based on said sale (See Lewis Page 3 Paragraphs 23, 26 and 29 and Page 4 Paragraph 36). Calculations are interpreted to include generation of performance data, tax liability, balance sheet and net worth data, sale is interpreted to include a hypothetical sale and the tailoring of the process by the user is interpreted to include the step of specifying a hypothetical sale price for the security.

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With reference to Claim 58, Lewis discloses a method according to claim 57, wherein the multiple trading accounts are managed by different institutions (See Lewis Page 4 Paragraph 35). The data records from plural disparate systems and data sources relating to financial transactions are interpreted to include trading accounts managed by different institutions.

With reference to Claim 59, Lewis discloses a method according to claim 50, wherein the user can tailor the processing performed by and the information created by the system as desired different customer segments (See Lewis Page 3 Paragraphs 24 and 33). The tailoring of information and reports for different customer segments is interpreted to include generating reports in a language other than English.

With reference to Claim 60, Lewis discloses a method according to claim 50, further comprising the step of accessing a third database in which currency exchange rates are maintained, wherein the step of generating said performance data is also based on the retrieved currency exchange rates (See Lewis Page 3 Paragraph 26).

With reference to Claim 61, Lewis discloses a method according to claim 50, wherein said investments comprise securities and said at least one account includes a securities trading account (See Lewis Page 3 Paragraph 23). Data relating to financial transactions, financial instruments, customers, organizational units and financial institutions are interpreted to include a securities trading account.

With reference to Claim 62, Lewis discloses a method according to claim 50, further comprising the steps of: (a) inputting transaction information by the user into a local terminal; (b) transmitting the transaction information from the local terminal over the Internet to a remote server (See Lewis Page 3 Paragraph 29); (c) receiving in the remote server the transaction

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information from the user; (d) accessing, by said remote server, said first database in which transaction records of said account are maintained (See Lewis Page 3 Paragraph 23); and (e) updating said transaction records with said transaction information (See Lewis Page 3 Paragraph 26).

With reference to Claim 63, Lewis discloses a computer network for tracking performances of a plurality of assets, comprising: a server computer; a plurality of client computers connected to the server computer over an internet connection; and a plurality of databases each associated with a different institution, each database storing transaction records of an asset that is kept at that institution (See Lewis Figure 4), wherein the server computer is programmed to: (a) receive, over the internet, requests for performance data on an asset from one of the client computers, (b) receive the transaction records for the asset responsive to the request, said transactions records including data on cash invested and purchases and sales; (c) receive price data that are necessary to generate said performance data (See Lewis Page 3 Paragraphs 24, 26 and 29); (d) perform calculations to generate financial data, based on the transaction records and the price data (See Lewis Page 4 Paragraphs 35 and 36); (e) transmit, over the internet, the performance data to the requesting client computer (See Lewis Page 3 Paragraph 29 and Page 4 Paragraph 36). The calculations are interpreted to include performance data including net worth, tax liability data, generating a balance sheet by automatically calculating entries on assets and liabilities including said tax liability data, generating profit/loss data, and performing a net worth calculation which takes into consideration said tax liability data.

With reference to Claim 64, Lewis discloses a computer network according to claim 63, further comprising a price database connected to the server computer (See Lewis Figure 4),



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wherein the server computer is programmed to retrieve price data from a price database (See Lewis Page 4 Paragraphs 35 and 36).

With reference to Claim 65, Lewis discloses a computer network according to claim 63, wherein the price database provides real-time price data (See Page 9 Paragraph 118). Data from vendors such as Bloomberg, Reuters are interpreted to include real-time data.

With reference to Claim 66, Lewis discloses a computer network according to claim 65, wherein said server computer is programmed to access each database of said plurality of databases and to provide composite performance data based on the plurality of assets (See Lewis Page 1 Paragraphs 7, 8 and 10 and Page 3 Paragraphs 23 and 24).

With reference to Claim 67, Lewis discloses a computer network according to claim 63, wherein the client computers comprise hand-held devices (See Lewis Page 11 Paragraph 132). The hand-held devices are interpreted to include hand-held computers.

With reference to Claim 68, Lewis discloses a computer network according to claim 63, wherein said assets comprise securities and said transaction records include trading account transaction records of said securities (See Lewis Page 3 Paragraph 23).

With reference to Claim 69, Lewis discloses a method of producing reports for investments comprising the steps of: (a) inputting transaction information by a user into a local terminal; (b) transmitting the transaction information from the local terminal over an internet connection to a remote server (See Lewis Page 3 Paragraph 29); (c) receiving in the remote server the transaction information from the user (See Lewis Page 3 Paragraph 23); (d) automatically retrieving, by the remote server, transaction records of the investment, the transaction records including data on cash invested and prior purchase and sale data (See Lewis

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Page 3 Paragraph 26); (e) automatically accessing and retrieving by said remote server price data corresponding to a current price of currently held and previously purchased investments (See Lewis Page 4 Paragraph 36); (f) automatically calculating financial data based on said input transaction information; (g) automatically calculating by said remote server entries on an assets and liability side of the balance sheet based on the transaction records, price data, tax liabilities and transaction information; and (h) automatically calculating a net worth of said user based on the transaction records, price data, tax liabilities and transaction information (See Lewis Page 3 Paragraph 26 and Page 4 Paragraph 36); and (i) transmitting said performance data to said user over the internet connection (See Lewis Page 3 Paragraph 29 and Page 4 Paragraph 36). Reports are interpreted to include performance data including net worth and a balance sheet for investments, market information data server retrieves and processes price data, financial data computations are interpreted to include tax liability computation and the accounting and calculation server functions are interpreted to automatically calculate net worth and entries on an assets and liability side of the balance sheet based on the transaction records, price data, tax liabilities and transaction information.

With reference to Claim 70, Lewis discloses a method according to claim 69, wherein said investments comprise securities and said transaction information includes data corresponding to the purchase or sale of securities not previously included in said transaction records (See Lewis Page 3 Paragraph 33). The step of user entering and modifying database tables is interpreted to include data corresponding to the purchase or sale of securities not previously included in said transaction records.

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*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Savage et al (US Patent 2002/0026394) (Feb 28, 2002) Method and System of Combined Billing of Multiple Accounts on a Single Statement

(b) Killeen, Jr. et al (US Patent 6324523) (Nov 27, 2001) Integrated Client Relationship Management Processor

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065. The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

N. Subramanian  
September 17, 2002



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
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